

2013 DRAFTING REQUEST

Bill

Received: **11/8/2012** Received By: **mduchek**
Wanted: **As time permits** Companion to LRB:
For: **Administration-Budget** By/Representing: **Dombrowski**
May Contact: Drafter: **emueller**
Subject: **Drunk Driving - refusals/testing** Addl. Drafters: **mduchek**
Mental Health - AODA
Transportation - traffic laws
Extra Copies:

Submit via email: **YES**
Requester's email:
Carbon copy (CC) to: **tamara.dodge@legis.wi.gov**

Pre Topic:

DOA:.....Dombrowski, BB0224 -

Topic:

Fund chemical testing training and services for state patrol from transportation fund

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	mduchek	evinz	11/13/2012	_____	srose		State
	11/13/2012	11/13/2012		_____	11/13/2012		

FE Sent For:

<END>

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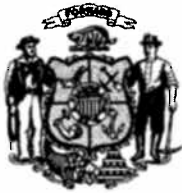
See attached

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/P1	mduchek	/pl eev 11/13/12		11/13/12 ph			State

FE Sent For:

<END>



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0515/P1
EVM&MED.....

DOA:.....Dombrowski, BB0224 - Fund chemical testing training and services for state patrol from transportation fund

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION

1 **AN ACT** ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

TRANSPORTATION

OTHER TRANSPORTATION

Under current law, a person who is convicted of certain violations relating to operating a vehicle while intoxicated must pay a driver improvement surcharge of \$365 in addition to any applicable forfeiture or fine, assessments, and costs. A portion of the money collected from this surcharge is provided to DOT for chemical testing training and services provided by the state traffic patrol.

Under this bill, driver improvement surcharge money is no longer provided to DOT for the chemical testing training and services provided by the state traffic patrol. The training and services are instead funded from the transportation fund.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 **SECTION 1.** 20.395^x (5) (di) of the statutes is renumbered 20.395[✓] (5) (ds) and
3 amended to read:

SECTION 1

1 20.395 (5) (ds) *Chemical testing training and services, state funds.* ~~From the~~
2 ~~general fund, the~~ ^JThe amounts in the schedule for the chemical testing training and
3 services provided by the state traffic patrol. ~~All moneys transferred from the~~
4 ~~appropriation account under s. 20.435 (5) (hx) shall be credited to this appropriation~~
5 ~~account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance in this~~
6 ~~appropriation account on June 30 of each year shall be transferred to the~~
7 ~~appropriation account under s. 20.435 (5) (hx).~~

History: 1971 c. 40 s. 93; 1971 c. 42, 107; 1971 c. 125 ss. 122 to 137, 522 (1); 1971 c. 197, 211, 215, 307; 1973 c. 90, 142, 243, 333, 336; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 200, 224, 270, 288, 340, 422; 1977 c. 29, 377, 418; 1979 c. 34 ss. 322e to 420, 574, 575; 1979 c. 221; 1981 c. 20 ss. 238 to 300, 2202 (51) (c), (e); 1981 c. 165, 234; 1981 c. 314 s. 146; 1981 c. 347 s. 80; 1981 c. 362; 1983 a. 27 ss. 270g to 315, 2202 (20); 1983 a. 243; 1985 a. 29 ss. 357 to 402, 3202 (51) (a); 1985 a. 65, 76, 341; 1987 a. 27, 137, 349, 369, 399, 403; 1989 a. 31, 56; 1991 a. 39, 104, 239, 269; 1993 a. 16, 285, 354, 437; 1995 a. 27, 113, 201, 338, 445; 1997 a. 27, 35, 135, 237, 255; 1999 a. 9, 109, 146, 167, 185; 2001 a. 16, 104, 109; 2003 a. 33, 64, 139, 220, 320; 2005 a. 25, 319, 335; 2007 a. 20, 42; 2009 a. 28, 224, 226, 276; 2011 a. 32, 257; 2011 a. 260 s. 80; s. 13.92 (2) (i).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8 **SECTION 2.** 20.435 (5) (hx) of the statutes is amended to read:

9 20.435 (5) (hx) *Services related to drivers, receipts.* The amounts in the
10 schedule for services related to drivers. All moneys received by the secretary of
11 administration from the driver improvement surcharge on court fines and
12 forfeitures authorized under s. 346.655 ~~and all moneys transferred from the~~
13 ~~appropriation account under s. 20.395 (5) (di) shall be credited to this appropriation~~
14 account. The secretary of administration shall annually transfer to the
15 appropriation account under s. 20.395 (5) (ek) 9.75 percent of all moneys credited to
16 this appropriation account from the driver improvement surcharge. Any
17 unencumbered moneys in this appropriation account may be transferred to par. (hy)
18 and ss. 20.255 (1) (hm), 20.285 (1) (ia), 20.395 (5) (ci) ~~and (di)~~, and 20.455 (5) (h) by
19 the secretary of administration, after consultation with the secretaries of health
20 services and transportation, the superintendent of public instruction, the attorney
21 general, and the president of the University of Wisconsin System.

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11);

1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33, 139, 186, 318, 320, 326, 327; 2005 a. 15, 22; 2005 a. 25 ss. 299 to 331, 2498 to 2500, 2510; 2005 a. 74, 107, 199, 228, 264, 388, 406, 434; 2007 a. 20 ss. 331 to 422, 9121 (6) (a); 2007 a. 39, 88, 107, 111, 130; 2009 a. 2, 15; 2009 a. 28 ss. 325 to 470, 485, 488, 490; 2009 a. 76, 180, 190, 219, 274, 276, 279, 318, 334; 2011 a. 32, 70, 257; s. 35.17 correction in (4) (gr).

1

(END)

Duchek, Michael

From: Hanaman, Cathlene
Sent: Thursday, November 08, 2012 2:07 PM
To: Dodge, Tamara; Duchek, Michael
Subject: FW: [Possible SPAM] Statutory Language Drafting Request - BB0224

Importance: Low

Feel free to forward if you are not the correct drafters.

From: Cynthia.Dombrowski@Wisconsin.gov [<mailto:Cynthia.Dombrowski@Wisconsin.gov>]
Sent: Thursday, November 08, 2012 1:51 PM
To: Hanaman, Cathlene
Cc: Gauger, Michelle C - DOA; Dombrowski, Cynthia A - DOA; Thornton, Scott - DOA
Subject: [Possible SPAM] Statutory Language Drafting Request - BB0224
Importance: Low

Biennial Budget: 2013-15

DOA Tracking Code: BB0224

Topic: Driver Improvement Surcharge

SBO Team: HSI

SBO Analyst: Dombrowski, Cynthia A - DOA
Phone: (608) 266-2214
E-mail: Cynthia.Dombrowski@Wisconsin.gov

Agency Acronym: DHS

Agency Number: 435

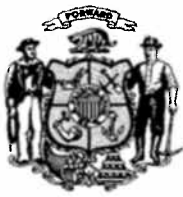
Priority: Medium

Intent:

Rather than funding the appropriation under 20.395 (5)(di), *Chemical testing training and services, state funds* from the Driver Improvement surcharge, fund it from the Transportation fund.

Attachments: False

Please send completed drafts to statlanguage@wisapps.wi.gov



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0515/P1
EVM&MED:eev:ph

DOA:.....Dombrowski, BB0224 - Fund chemical testing training and services for state patrol from transportation fund

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****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 2. 20.435 (5) (hx) of the statutes is amended to read:

20.435 (5) (hx) *Services related to drivers, receipts.* The amounts in the schedule for services related to drivers. All moneys received by the secretary of administration from the driver improvement surcharge on court fines and forfeitures authorized under s. 346.655 and ~~all moneys transferred from the appropriation account under s. 20.395 (5) (di)~~ shall be credited to this appropriation account. The secretary of administration shall annually transfer to the appropriation account under s. 20.395 (5) (ek) 9.75 percent of all moneys credited to this appropriation account from the driver improvement surcharge. Any unencumbered moneys in this appropriation account may be transferred to par. (hy) and ss. 20.255 (1) (hm), 20.285 (1) (ia), 20.395 (5) (ci) ~~and (di)~~, and 20.455 (5) (h) by the secretary of administration, after consultation with the secretaries of health services and transportation, the superintendent of public instruction, the attorney general, and the president of the University of Wisconsin System.

(END)